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Igor Zagar
Educational Research Institute

Dima Mohammed

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Fallacies: do we “use” them or “commit” them? Or: is all our life just a collection of fallacies?

IGOR Ž. ŽAGAR

*Center for Discourse Studies
Educational Research Institute
Gerbiceva 62, SI-1000 Ljubljana
Slovenia
E-mail: igor.zzagar@gmail.com*

ABSTRACT: After C. L. Hamblin's groundbreaking work *Fallacies* (1970), re-interpreting what used to be known as "mistakes in reasoning" or "bad arguments" since Aristotle (*On Sophistical Refutations*), the study of fallacies started to bloom, coming up with ever new perspectives and conceptualizations of what should count as a mistake in reasoning and argumentation, and why a certain kind of reasoning should at all be considered a mistake (Woods & Walton 1989, van Eemeren & Grootendorst 1992, etc.). This paper will be concerned with two questions. First, an epistemological one: do we (unintentionally) commit fallacies, or do we (intentionally) use them? Secondly, a methodological one: when we (philosophers, sociologists, discourse analysts, ...) detect a fallacy, on what conceptual grounds do we differentiate between committed and used fallacies? Aren't we forced to commit (or use?) "fallacies" whenever we talk about other people, their views, or their work? Examples from Critical Discourse Analysis will be used to extensively illustrate this point.

KEYWORDS: Austin, argumentation, critical discourse analysis, fallacies, Hamblin, pragmatics, rhetoric

1. INTRODUCTION

In this paper, I propose a rhetorical reading of Austin, an Austinian interpretation of Hamblin, and a hybrid Austino-Hamblinian perspective on fallacies (or what is considered to be fallacies).

I'll be asking three questions: What are fallacies? Is there anything like fallacies in natural languages at all? And consequently: aren't we forced to commit and live (in) fallacies (or "fallacies")?

2. J. L. AUSTIN AS RHETORICIAN

J. L. Austin is usually considered to be the “father” of speech act theory, and the “inventor” of performativity. In a very general framework this is both true, but historically and epistemologically speaking there is a narrow and intricate correlation, as well as a deep rupture between the two theories.

Performativity came about as a result of Austin's deep dissatisfaction with classical philosophical (logical) division between statements/utterances that can be (and should be) either true or false (with no gradation in between), and only serve to describe the extra-linguistic reality (a division that implies another opposition between saying and doing *in* language and *with* language).

Speech acts, on the other hand, came about as a result of Austin's dissatisfaction with his own performative/constative distinction, a distinction that placed on the one side

the utterances with which we can do (perform) something (and are neither true or false), and the utterances with which we can only describe what is already “out there” (and can be either true or false). After a careful consideration of what could be the criteria of performativity in the first part of his lectures (that later became a book), in the second part Austin comes to a conclusion that not only performatives do something (with words), but that every utterance does something (with words). ‘Something’ implying: not just describing reality. But between the two poles of the lectures, the performative one and the speech acts one, there is an important (I’ll call it rhetorical) transitional passage that is usually overlooked, and I would like to start my humble examination of fallacies here, with this passage.

Can we be sure that stating truly is a different *class* of assessment from arguing soundly, advising well, judging fairly, and blaming justifiably? Do these not have something to do in complicated way with facts? ... Facts come in as well as our knowledge or opinion about facts. (Austin 1962/1980: 142)

There are two important epistemological innovations in this paragraph:

- (1) Statements (stating truly) are given *the same status as all other utterances* we may produce;
- (2) Facts are given *the same status as (our, your, their...) knowledge of facts*.

And here is Austin’s rationale for this:

... consider also for a moment whether the question of truth or falsity is so very objective. We ask: ‘Is it a *fair* statement?’, and are the *good reasons and good evidence* for stating and saying so very different from the good reasons and evidence for performative acts like arguing, warning, and judging? Is the constative, then, always true or false? When a constative is confronted with the facts, we in fact appraise it *in ways involving the employment of a vast array of terms*, which overlap with those that we use in the appraisal of performatives. *In real life, as opposed to the simple situations envisaged in logical theory, one cannot always answer in a simple manner whether it is true or false*¹. (Austin 1962/1980: 142-143)

2.1 What is true and what is false?

Truth and falsity therefore don’t have objective criteria, but depend on “good reasons and good evidence” we have for stating something. And even then, we assess constatives employing “a vast array of terms”, which should be understood as “not just whether they correspond to facts or not.” And Austin’s conclusion concurs with Hamblin’s (as we will see later): it is easy to say what is true or false in logic, it is much more complicated and less evident in everyday life and everyday language use.

Here are Austin’ arguments for this ‘relativization’:

Suppose that we confront ‘France is hexagonal’ with the facts, in this case, I suppose, with France, is it true or false? Well, if you like, *up to a point*; of course I can see what you mean by saying that *it is true for certain intents and purposes*. It is good enough for a top-ranking general, perhaps, but not for a geographer. ‘Naturally it is pretty rough,’ we should say, ‘and pretty good as a pretty rough statement’. But then someone says: ‘But is it true or is it false? I

¹ All emphases throughout the text are mine.

don't mind whether it is rough or not; of course it's rough, but it has to be true or false, it's a statement, isn't it?' How can one answer this question, whether it is true or false that France is hexagonal? *It is just rough, and that is the right and final answer to the question of the relation of 'France is hexagonal' to France. It is a rough description; it is not a true or a false one.* (Austin 1962/1980: 143)

2.2 True, false or (just) rough

Statements/utterances can therefore not just be either true or false, there is (or at least should be) a gradation between what is false and what is true, between 0 and 1. What we say can be more or less true, true up to a (certain) point, or more precisely: true for certain intents and purposes. As 'France is hexagonal' is a rough description, so are 'France is a country of good wines,' or 'France is a country of ripe cheeses,' for example. But these utterances are not true (or false) in any formal (i.e. logical) sense of the term: One must have good (specific) reasons and specific (appropriately oriented) intentions for uttering them.

Which brings us to an important part of this discussion, the question of framing.

What is judged true in a schoolbook may not be so judged in a work of historical research. Consider the constative, 'Lord Raglan won the battle of Alma,' remembering that Alma was a soldier's battle if ever there was one, and that Lord Raglan's orders were never transmitted to some of his subordinates. Did Lord Raglan then win the battle of Alma or did he not? Of course *in some contexts*, perhaps in a schoolbook, it is perfectly justifiable to say so--it is something of an exaggeration, maybe, and there would be no question of giving Raglan a medal for it. *As 'France is hexagonal' is rough, so 'Lord Raglan won the battle of Alma' is exaggerated and suitable to some contexts and not to others; it would be pointless to insist on its truth or falsity.* (Austin 1962/1980: 143-144)

2.3 Truth, falsity and the context

What we say can therefore not only be more or less true, true up to a point, or true for certain intents and purposes, it can also be true only in some contexts, but not in others. And that is not all, Austin's relativization continues:

Thirdly, let us consider the question whether it is true that all snow geese migrate to Labrador, given that perhaps one maimed one sometimes fails when migrating to get quite the whole way. Faced with such problems, many have claimed, with much justice, that utterances such as those beginning 'All...' are prescriptive definitions or advice to adopt a rule. But what rule? This idea arises partly through not understanding *the reference of such statements, which is limited to the known*; we cannot quite make the simple statement that the truth of statements depends on facts as distinct from knowledge of facts. Suppose that before Australia is discovered X says 'All swans are white.' If you later find a black swan in Australia, is X refuted? Is his statement false now? Not necessarily: he will take it back but he could say 'I wasn't talking about swans absolutely everywhere; for example, I was not making a statement about possible swans on Mars.' *Reference depends on knowledge at the time of utterance.* (Austin 1962/1980: 144)

If we sum up all these Austin's hedgings, we get the following:

- (1) what we say can only be more or less true (i.e. true up to a point);
- (2) it can only be true for certain intents and purposes;

- (3) it can only be true in some contexts, and
- (4) its truth (or falsity) depends on knowledge at the time of utterance.

2.4 *Circumstances, audiences, purposes and intentions—not truth or falsity*

This is a real rhetorical perspective on communication (truth, logic, and philosophy) that was very often overlooked, mostly at the expense of classificatory madness that started after J. R. Searle. What Austin is proposing is that—outside logic, in the real world, in everyday communication, where we don't go around with propositions in our pockets and truth tables in our hands—the truth or falsity of what we say be replaced by *right or proper things to say, in these circumstances, to this audience, for these purposes and with these intentions*. Such a proposal is very Protagorean in nature and does justice to the first three canons of rhetoric, or more appropriately to the *officia oratoris*, placing emphasis on *inventio* and *elocutio*.

I will claim that Hamblin followed the same enterprise 15 years later with his *Fallacies*. These two groundbreaking works follow the same pattern, run parallel, and I will (hopefully) show why.

3. C. L. HAMBLIN'S PRAGMATIC PERSPECTIVE

3.1 *Formal language vs. natural language*

1) In real life, as opposed to the simple situations envisaged in logical theory, one cannot always answer in a simple manner whether something is true or false. And Hamblin elaborates:

Within a *formal language* it is generally clear enough which arguments are formally valid; but an ordinary-language argument cannot be declared 'formally valid' or 'formally fallacious' until the language within which it is expressed is brought into relation with that of some logical system. (Hamblin 1970/2004: 193)

The message of this passage is very clear: we can speak of formal validity (which includes truth and falsity, and, consequently, fallacies) only in formal systems (but Hamblin relativizes even that by saying "*it is generally clear enough*"), but not in "natural languages." If we want any kind of formal validity in natural languages that wouldn't involve only *la langue* (language) in de Saussure's conceptualization, but also his *la parole* (speech, (everyday) communication)—we need to bring it into relation with a formal language of a formal (logical) system. This "bringing into relation" usually means: translating the very vast vocabulary (lexicon) of ordinary language, with its extremely ramified semantics and pragmatics, into a very limited vocabulary of logic with its even more limited semantics.

And we can do so, Hamblin argues, "only at the expense of features essential to natural language." (Hamblin 1970/2004: 213)

3.2 *Arguments are meant to interpret, not describe "reality"*

2) Reference depending on knowledge at the time of utterance. And Hamblin elaborates:

If the arguments we are discussing are arguments that John Smith produces within his own head and for his own edification, *the appraisal-criteria will refer exclusively to what is known to John Smith*, in doubt to John Smith, and so on. However, the paradigm case of an argument is that in which it is produced *by one person to convince another.*” (Hamblin 1970/2004: 239)

My interpretation of the above passage would be that there is no perennial and universal truth(s), and consequently, no perennial and universal truth-conditions or criteria. The truth is relative, but we shouldn't understand ‘relative’ as a trivial stereotype that everything changes and everything can be different. ‘Relative’ should be understood more in its etymological sense (*relativus* = having reference or relation to, from *relatus* (pp) = to refer), as a thing (concept, thought) having a relation to or being in a relation to another thing (concept, thought). In a particular relation ($X > Y$), the truth is seen as such and such; in some other relation ($X > Z$), the truth may be seen differently.

3.3 Arguments and acceptance: the role of the audience

3) Right or proper things to say in these circumstances, to this audience, for these purposes and with these intentions. And Hamblin elaborates:

What good reasons various people may have for accepting various statements and procedures are, no doubt, themselves sometimes relevant to the worth of argument erected on them; but, if we are to draw the line anywhere, *acceptance by person the argument is aimed at—the person for whom the argument is an argument—is the appropriate basis of a set of criteria.* (Hamblin 1970/2004: 242)

There are no universal arguments or universal criteria for what an argument should look like to be (seen as) an argument. An argument should be adopted and/or constructed *relative* to the (particular) circumstances and the (particular) audience, as well as to the purposes and intentions we, as arguers, have. Consequently, there can be no universal fallacies or universal criteria for what is a fallacy in everyday communication (persuasion and argumentation).

3.4 Arguments and truth-conditions? Whose truth conditions?

4) Argumentation/persuasion has no necessary link with truth or falsity. And Hamblin elaborates:

We must distinguish the different possible purposes a practical argument may have. Let us suppose, first, that *A* wishes to convince *B* of *T*, and discovers that *B* already accepts *S*: *A* can argue ‘*S*, therefore *T*’ independently of whether *S* and *T* are really true. *Judged by B’s standards*, this is a good argument and, *if A is arguing with B and has any notion at all of winning, he will have to start from something B will accept.* The same point applies to the inference-procedure. One of the purposes of argument, whether we like it or not, is to convince, and our criteria would be less than adequate if they had nothing to say about how well an argument may meet this purpose. (Hamblin 1970/2004: 241)

This is a kind of a corollary to the previous point (point 3): not only do we have to rely on arguments that are acceptable by the person the argument is aimed at, we have to use these arguments (at least as our starting points), even if we are not sure whether they are true or false, good or bad.

3.5 Rational arguments or/and rational choice of arguments?

This quote also openly exposes and emphasizes one of the facets of arguments that is too often timidly held in the shade by (some) argumentation theorists: one of the purposes of argument *is to convince*, not just to present a good, solid, valid “evidence.” And in his plea for conviction, Hamblin even goes a step further, for some argumentation theorists maybe even over the edge:

5) Conviction, of course, may be secured by threat, water torture or hypnotism instead of by argument, and it is possible that Logic should have nothing to say about these means; but we can hardly claim that an argument is not an argument because it proceeds *ex concessio*, or that such arguments have no rational criteria of worth.” (Hamblin 1970/2004: 241)

Threat, water torture or hypnotism (we could add more) would be, no doubt, judged as fallacious means of securing conviction by standard, mainstream theories of argumentation (if there is any such thing at all). But Hamblin’s point is worth some consideration: these means of “conviction” are nevertheless arguments, they may not be rational *arguments*, but there may be rational *criteria* for using them (at least in particular circumstances).

4. TROUBLES WITH FALLACIES

In this light, Hamblin’s claim from the beginning of his book that there has never yet been *a book* on fallacies becomes more understandable: Arthur Schopenhauer’s *Art of Controversy* is, in his opinion, too short, Jeremy Bentham’s *Book of Fallacies* is too specialized, the medieval treatises are mostly commentaries on Aristotle, and Aristotle’s *Sophistical Refutations* are, in Hamblin’s view, “just the ninth book of his *Topics*” (Hamblin 1970/2004: 11).

So the state of the art would be that nobody is particularly satisfied with this corner of *logic*, concludes Hamblin (he is emphasizing logic, not language).

4.1 Impossibility to classify fallacies

And there may be a reason for that. Even if in almost every account from Aristotle onwards we can read that a fallacious argument is one that *seems to be valid*, but it *is not*, it is rather often argued that it is impossible to classify fallacies at all (and I have just presented Hamblin’s own contribution(s) to this impossibility). Hamblin himself quotes De Morgan (1847/1926: 276, in Hamblin 1970/2004: 13): “There *is* no such thing as a classification of the ways in which men may arrive at an error: it is much to be doubted whether there ever *can be*.” And Joseph (1906/1916: 569, in Hamblin 1970/2004: 13): “Truth may have its norms, but error is infinite in its aberrations, and cannot be digested in any classification.” And Cohen & Nagel (1934: 382 in Hamblin 1970/2004: 13): “It would be impossible to enumerate all the abuses of logical principles occurring in the diverse matters in which men are interested.”

4.2 *Impossibility to avoid fallacies*

On the other hand, it seems that certain fallacies are unavoidable, which raises the question whether they are fallacies at all (and even much more important ones: how to classify fallacies? Are there any stable criteria for detecting fallacies? All the way to the obvious one: do fallacies exist at all?).

Port Royal Logic (Arnauld & Nicole 1662/1964: 264, in Hamblin 1970/2004: 46) warns:

Finally, we reason sophistically when we draw a general conclusion from an incomplete induction. When from the examination of *many particular* instances we conclude to a general statement, we have made an induction. After the waters of *many seas* have been found salty and the waters of *many rivers* found fresh, we can conclude that sea water is salty but river water is fresh ... It is enough to say here that imperfect inductions - that is *inductions based on examination of fewer than all instances* - often lead us to error.

While David Hume (1748/1963, in Hamblin 1970/2004: 29) is quite unambiguous: *every* argument from particular cases to a general rule must be fallacious.

4.3 *Are all fallacies fallacious?*

Hamblin, 200 years after Hume, opens a new perspective on this problem: if some fallacies seem to be omnipresent and unavoidable, maybe we shouldn't treat them as fallacies: “Fallacy of *Secundum Quid* [hasty generalization] is an ever-present and unavoidable possibility in practical situations, and any formal system that avoids it can do so only at the expense of features essential to natural language.” (Hamblin 1970/2004: 213) *Ignoratio Elenchi* [ignoring the issue, irrelevant conclusion] is another fallacy of this unavoidable kind. Hamblin (1970/2004: 31) argues:

This category can be stretched to cover virtually every kind of fallacy. If an arguer argues for a certain conclusion while falsely believing or suggesting that a different conclusion is established, one for which the first conclusion is irrelevant, then the arguer commits the fallacy of irrelevant conclusion. The premises miss the point.

Secundum Quid, for example, could thus be interpreted just as an instance of *Ignoratio Elenchi*.

Begging the question [petitio principii, circular reasoning] fits in the same category; already J.S. Mill (in his *System of Logic*, 1843) claims that all valid reasoning commits this fallacy. While Cohen & Nagel (1934: 379, in Hamblin 1970/2004: 35) affirm (and this passage is absolutely crucial):

There is a sense in which all science is circular, for all proof rests upon assumptions which are not derived from others but are justified by the set of consequences which are deduced from them... But there is a difference between a circle consisting of a small number of propositions, from which we can escape by denying them all, or setting up their contradictories, and the circle of theoretical science and human observation, which is so wide that we cannot set up any alternative to it.

A possible conclusion we could draw from this observation: on the micro level, we can fuss about small things, everyday conversation and everyday reasoning, and pass our time in inventing numerous fallacies, but when it comes to the macro level, to big things (the big picture), fallacies are not objectionable any more—because there is no alternative. A problem that is very similar to Gödel’s (first) incompleteness theorem (Kleene 1967: 250):

- (T) Any effectively generated theory capable of expressing elementary arithmetic cannot be both consistent and complete. In particular, for any consistent, effectively generated formal theory that proves certain basic arithmetic truths, there is an arithmetical statement that is true, but not provable in the theory.

This theorem was designed to prove inherent limitations (incompleteness) for axiomatic systems for mathematics, but what Cohen and Nagel are claiming is, *mutatis mutandis*, an application of Gödel’s (first) incompleteness theorem to (possible) theories of fallacies. Graphically, we could represent it like this:

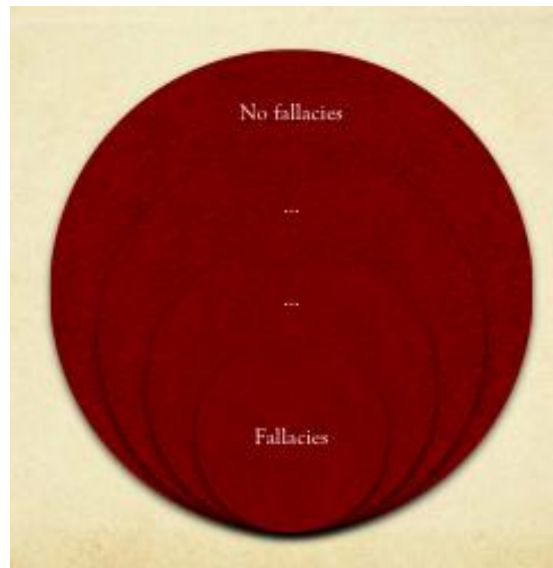


Fig. 1. Between fallacies and non-fallacies

5. SUPERABUNDANCE AND REDUNDANCE OF FALLACIES

If we take a look at a situation 40 years after Hamblin, which is today, what we see is an enormous interest in fallacies: there are many, even too many writings on fallacies, and many, even too many definitions of what fallacies are. But the reason for this inflation of writings on fallacies (and even production of ever new ones) *may be the same as the one Hamblin mentioned for the shortage of accounts on fallacies*: the impossibility to unequivocally and unambiguously classify fallacies at all.

Here is a sample of definitions we can find online; I highlighted the most ambiguous and vague parts of these definitions, and provided short glosses between square brackets:

5.1 Vagueness and ambiguity of definitions

1) “A fallacy is, *very generally*, [not specific enough, no informative value] an error in reasoning. This differs from a factual error, which is simply being wrong about the facts. To be more specific, a fallacy is an “argument” in which the premises given for the conclusion do not provide the *needed degree of support* [what kind of support?].” (Labbossiere, The Nizkor Project (<http://www.nizkor.org/features/fallacies/>)).

2) “In *logic and rhetoric* [logic and rhetoric have very different principles of functioning] a fallacy is incorrect *reasoning in argumentation* [unclear; what is reasoning in argumentation?] resulting in a *misconception* [misconception of what?]. By accident or design, fallacies may exploit *emotional triggers* in the listener or interlocutor (e.g. appeal to emotion), or take advantage of *social relationships between people* (e.g. argument from authority) [what about ‘rational’ or ‘logical’ fallacies?].” (Wikipedia (<http://en.wikipedia.org/wiki/Fallacy>)).

3) “A fallacy is *a kind of error* [unclear; what does ‘a kind of...’ mean?] in reasoning. ... Fallacies should not be persuasive, but they often are. Fallacies may be created unintentionally, or they may be created intentionally in order to deceive other people.” (Internet Encyclopedia of Philosophy (<http://www.iep.utm.edu/fallacy/>))

4) “Fallacies are *defects* [what kind of defects?] that *weaken* [does ‘weaken’ mean that these arguments are still arguments, but with less argumentative force?] arguments... It is important to realize two things about fallacies: First, fallacious arguments are very, very common and can be quite persuasive, at least to the casual reader or listener... Second, it is sometimes hard to evaluate whether an argument is fallacious.” (Handout and links (<http://www.unc.edu/depts/wcweb/handouts/fallacies.html>))

5) “A “fallacy” is a *mistake* [any kind of mistake?], and a “*logical*” fallacy is a *mistake in reasoning* [is every mistake in reasoning—btw. what does count as a mistake in reasoning?—a “logical” fallacy?] There are, of course, other types of mistake than mistakes in reasoning. For instance, *factual mistakes are sometimes referred to as “fallacies”* [repetitive, even circular, but not explicative enough].” (Fallacy files, <http://www.fallacyfiles.org/introtof.html>)

5.2 Inventing the fallacies

Obviously, there is quite a confusion about what fallacies are nowadays. And this confusion, this inability (impossibility?) to propose clear-cut criteria, boundaries and definitions, generates new fallacies. Actually, there is quite an inflation of (new) fallacies. Here are just a few of my favourite ones (found online as well):

a) *Poisoning the Well Fallacy*

(Nizkor project: <http://www.nizkor.org/features/fallacies/poisoning-the-well.html>) “This sort of “reasoning” involves trying to discredit what a person might later claim by presenting unfavorable information (be it true or false) about the person. This “argument” has the following form:

- (1) Unfavorable information (be it true or false) about person A is presented.
- (2) Therefore any claims person A makes will be false.

Example

Before Class:

Bill: "Boy, that professor is a real jerk. I think he is some sort of eurocentric fascist."

Jill: "Yeah."

During Class:

Prof. Jones: "...and so we see that there was never any 'Golden Age of Matriarchy' in 1895 in America."

After Class:

Bill: "See what I mean?"

Jill: "Yeah. There must have been a Golden Age of Matriarchy, since that jerk said there wasn't."

First, it is not quite evident that this is a fallacy; fallacy is a *fallacious argument* and it is yet to be extracted from the above dialogue.

Secondly, if we apply a kind of a principle of charity, and concede there is an argument in the above dialogue, we don't need any new fallacy, it could easily be analysed as *Ignoratio Elenchi*, *Secundum Quid* or even *Petitio Principii* (if we stay with the all embracing fallacies (or "fallacies")). But it could also be a version of Ad Hominem, Straw Man, even Ad Populum. So, why create a new fallacy? Maybe because it is hard to choose between the existing ones, since the criteria are so unclear?

b) *Nirvana fallacy*

(Wikipedia: http://en.wikipedia.org/wiki/Nirvana_fallacy) "The *Nirvana fallacy* is the logical error of comparing actual things with unrealistic, idealized alternatives. It can also refer to the tendency to assume that there is a perfect solution to a particular problem.

Example: If we go on the Highway 95 at four in the morning we will get to our destination exactly on time because there will be NO traffic whatsoever."

First, I don't see any reason or justification to label this "fallacy" a "logical error." Secondly, even if criteria for detecting fallacies are not very clear, it is rather obvious that "Nirvana fallacy" could be analysed as Ad Consequentiam or/and Ad Ignorantiam (leaving aside at least the ubiquitous *Secundum Quid*).

c) *Argumentum ad Hitlerum*

(Wikipedia: http://en.wikipedia.org/wiki/Reductio_ad_Hitlerum) "*Reductio ad Hitlerum*, also *argumentum ad Hitlerum*, (dog Latin for "reduction to Hitler" or "argument to Hitler," respectively) is an ad hominem or ad misericordiam argument, and is an informal fallacy. It is a fallacy of irrelevance where a conclusion is suggested based solely on something or someone's origin rather than its current meaning or context. This overlooks any difference to be found in the present situation, typically transferring the positive or negative esteem from the earlier context. Hence this fallacy fails to examine the claim on its merit.

Example: Hitler was a vegetarian, so vegetarianism is wrong."

As already mentioned in the 'definition' this is an ad Hominem argument (or an Ad Misericordiam one), so why create a new one? Maybe because it could also be interpreted as Ignoratio Elenchi and Secundum Quid, even as Ad Populum or/and Ad Baculum. And in order to avoid ambiguity, another fallacy is created. Which actually increases the (possi-

bility of) ambiguity as far as criteria and definitions are concerned, but on the other hand, new and separate labels can facilitate the choice of consumers (of fallacies).

6. REPLACING ANALYSIS WITH FIXED LISTS OF FALLACIES: THE CASE OF CDA

All the epistemological and methodological objections, ambiguities and *caveats* on one side, as well as the practical, empirical multiplications of fallacies and their overlapping on the other, make the study of fallacies a thriving enterprise, a field of its own and in its own right. But, can we use fallacies, i.e. lists of fallacies, extracted and generalized from one of the theories that (among other things) deal with fallacies, as a ready-made, instant analytical tool in another theoretical enterprise with different epistemological foundations? For instance, can discourse analysis, with its inherently dynamic approach to language use, use fixed lists of fallacies as an analytical tool with any explanatory force at all?

Let us have a closer look at one of these theories, a Critical Discourse Analysis (CDA from now on), more precisely at Ruth Wodak's Discourse-Historical Approach (DHA from now on). Other branches of CDA (Fairclough, van Leuween) don't use fallacies as their analytical tool.

6.1 What is critical discourse analysis?

What is CDA? In short, CDA is usually associated with names such as Norman Fairclough, Ruth Wodak, Teun van Dijk, Paul Chilton, Günther Kress, Michael Billig and Theo van Leuween, to name just a few. Their work is based on ‘critical linguistics’ that started mostly at the University of East Anglia in the 1970s (and was associated with the names of Robert Hodge, Roger Fowler and Günther Kress), while the work of these critical linguists was based on the systemic-functional and social-semiotic linguistics of Michael Halliday whose approach is still crucial to CDA.

In Ruth Wodak's words, CDA

studies real, and often extended, instances of social interaction, which take (partially) linguistic form. The critical approach is distinctive in its view of (a) the relationship between language and society, and (b) the relationship between analysis and the practices analysed. (Wodak 1997: 173)

Or with the words of Jan Blommaert, CDA's sympathizer, but also a harsh critic:

CDA focuses its critique on the intersection of language/discourse/speech and social structure. It is uncovering ways in which social structure relates to discourse patterns (in the form of power relations, ideological effects, and so forth), and in treating these relations as problematic, that researchers in CDA situate the critical dimension of their work. It is not enough to uncover the social dimension of language use. These dimensions are the object of moral and political evaluation, and analysing them should have effects in society: empowering the powerless, giving voices to the voiceless, exposing power abuse, and mobilising people to remedy social wrong. (Blommaert 2005: 25)

6.2 *The discourse-historical approach and the (mis)use of argumentation*

Ruth Wodak initialised her own ‘school’ of CDA, called Discourse-Historical Approach (see Wodak, de Cillia, Reisigl & Liebhart 1999; Wodak & van Dijk 2000; Wodak & Chilton 2005; Wodak & Meyer 2006; Wodak 2009). Its programmatic view and its shortcomings, especially when using argumentation in their analyses, can be found in my analyses of DHA’s (mis)use of topoi (Žagar 2010, 2011), as well as in Fairclough & Fairclough (2011, pp. 243-268). These were, however, not the only criticisms raised against CDA: in the late nineties, Widdowson (1995, 1996, 1998) warned against the conceptual vagueness in CDA approach, as well as against blurring the distinctions between disciplines and methodologies, while Slembrouck (2001) is questioning the explanatory power of CDA’s approach. All these reproaches could also be addressed to DHA’s unsystematic appropriation of (selected) argumentative features from different (sometimes incompatible) theories and approaches (see Žagar 2010, pp. 13-20).

The work of reference for DHA is the book *Discourse and Discrimination* (*D&D* from now on) by Martin Reisigl and Ruth Wodak, published in 2001 (Routledge). I say the work of reference, because it is the only book in the DHA tradition that gives any substantial overview of the theoretical approaches and concepts DHA is using. All the subsequent works would just quote *Discourse and Discrimination*, these quotes would get shorter and shorter, and in one of the Wodak’s last books, *The Discourse of Politics in Action - Politics as Usual* (2009), even some authors of theoretical approaches and concepts DHA is using would be lost and replaced—with the names of Wodak and collaborators (see Žagar 2011).

6.2 *Fallacies as seen by DHA*

Here is the passage that introduces fallacies in *D&D*:

If one wants to analyse the persuasive, manipulative, discursive legitimization of racist, ethnocist, nationalist, sexist and other forms of discrimination and the pseudo-argumentative backing and strengthening of negative, discriminatory prejudices, one encounters many *violations of these ten rules*. In rhetoric and argumentation theory, *these violations* are called ‘fallacies’ (among many others see Kienpointner 1996, van Eemeren, Grootendorst and Kruiger 1987: 78-94, van Eemeren and Grootendorst 1992, Lamham 1991: 77ff., Ulrich 1992).

(Reisigl & Wodak 2001: 71)

The “violations of these ten rules” refer to pragma-dialectical ten rules for critical discussion that Reisigl and Wodak introduce on the previous page. But “violations of these ten rules” (that should be observed in every form of discussion whose aim is to resolve the difference of opinion in a rational way by means of critical discussion) are called fallacies *only* in pragma-dialectics, not in rhetoric and other argumentation theories. In rhetoric and argumentation there are many different approaches to fallacies that don’t even mention those ten rules of critical discussion, even theories that are unfamiliar with those ten rules or refuse to use them.

Another problem for this hasty DHA definition arises if we confront it with a definition from pragma-dialectics itself:

In the pragma-dialectical approach, a fallacy is defined as a *speech act that counts as a violation of one or more of the rules for critical discussion*, which impedes the resolution of a difference of opinion. *Fallacies are conceived and analyzed from the same view as Aristotle originally approached them: The dialectical perspective* [my emphases]. They are incorrect, unreasonable moves in a debate or in discussion in which (at least) two parties participate. (van Eemeren, Garssen & Meuffels 2009: 20)

In pragma-dialectics, fallacies are conceived and analyzed from the *dialectical perspective*: they are incorrect, unreasonable *moves in a debate or in a discussion*. In DHA, on the contrary, a list of 14 fallacies is constructed (at least in *D&D*: 71-74), with a short description and an even shorter example of each one of them. On the following 200 pages occasional references would be made to this list, without any analysis or justification why the examples on these 200 pages (mostly taken from the press) would represent any of the 14 fallacies listed (on pp. 71-74), while the ten rules for critical discussion are never mentioned again. This is the very same way DHA deals with *topoi* (see Žagar 2010, 2011).

Eight years after the *Discourse and Discrimination* was published, in Wodak's *The Discourse of Politics in Action* (2009: 43-45), we get the following definition of fallacies:

Reisigl and Wodak (2001) also draw on van Eemeren and Grootendorst (1992) and Kienpointner (1996) when providing *the list of general common fallacies*, which includes the following *very frequently employed argumentative devices*: *argumentum ad baculum*, i.e. ‘threatening with the stick’, thus trying to intimidate instead of using plausible arguments; the *argumentum ad hominem*, which can be defined as a verbal attack on the antagonist’s personality and character ... instead of discussing the content of an argument; *the fallacy of hasty generalization*, when making generalizations about characteristics attributed to a group without any evidence; and finally, the *argumentum ad populum* or *pathetic fallacy*, which consists of appealing to prejudiced emotions, opinions and convictions of a specific social group or to the *vox populi* instead of employing rational arguments.

An attentive reader has no doubt noticed that the list of references got shorter, that the list of 14 fallacies from *D&D* got a new denomination: “general common fallacies” (without any explanation how “general common” is defined, or what constitutes “general common” fallacies in relation to less “general common” fallacies), and that within these “general common fallacies” an even narrower list of four “very frequently employed” fallacies was constructed. It is just these four fallacies that are used in the analyses that follow. Let us have a look how.

6.3 Detecting fallacies in the *Discourse of Politics in Action*

The Discourse of Politics in Action - Politics as Usual is a book about European politics, more precisely, about how politics is done - in all possible details - in the European parliament. In her own words, Wodak wanted to

find out ‘how politics is done,’ ‘what politicians actually do,’ and ‘what the media convey about how politics is done.’ Moreover, I also wanted to probe the implications of the public’s lack of knowledge about the behind-the-scenes reality of ‘politics as usual’ in an era of politics that many characterize in terms of an increasing and widespread disenchantment with politics, depoliticization and the so-called ‘democratic deficit.’ (Wodak 2009: xii)

In chapter 4, “On being European,” Wodak examines the discursive construction of MEP's identities² by analysing the responses of MEPs to questions about whether they see themselves as European or not.

Here is one of her conclusions about these interviews:

In contrast to the European Commission officials who tended to speak of themselves in terms of ‘we’, referring to the Commission, and equating this with the European Union, the MEP's constructed and performed numerous identities, both professional and personal (Wodak, 2004b). [Different identities are enumerated] Many of these ‘presentations of self’ manifest themselves in brief personal anecdotes or longer narratives, *used as argumentum ad exemplum, i.e. one generalizable incident; this could also be analysed as employing the fallacy of hasty generalization.* (Wodak 2009: 99)

Wodak doesn't present any concrete data, not even an example on which the above claims would be based. But if there is no data, no analysis can be performed. And if data as well as the analysis of these hypothetical data are missing, it is impossible to judge whether we are dealing with fallacies or not. In this respect, it is crucial to remember what Hamblin keeps emphasizing:

A fallacy is a fallacious argument. Someone who merely makes false statement, however absurd, is innocent of fallacy unless the statements constitute or express an argument. (Hamblin 1970/2004: 224)

What Wodak does offer is a short summary that many of these “‘presentations of self’ manifest themselves in brief personal anecdotes or longer narratives, *used as argumentum ad exemplum, i.e. one generalizable incident.*”

Is there any other way of presenting oneself in an interview than brief personal anecdotes or longer narratives? I can't think of any. It is quite a mystery why Wodak labels these presentations of self, be it personal anecdotes or longer narratives, as *argumentum ad exemplum*; a classical definition of *argumentum ad exemplum* would be “arguing against a particular example cited rather than the question itself,” but in this case, we don't even have an example and there is certainly no question (except the one Wodak reports asking). She goes on by paraphrasing(?)/explaining(?) *argumentum ad exemplum* as “one generalizable incident.” If we set aside that she is using wrong definition and wrong classification, and that she is obviously not familiar with the standard terminology in rhetoric and argumentation (fallacy research included), one could wonder why a presentation of self would be described as a “generalizable event”? If somebody is presenting herself, why should that personal presentation be generalizable to others? Wodak doesn't say (she doesn't even present any of the self-presentations she is referring to), but she does claim that this *argumentum ad exemplum* (which is not an *argumentum ad exemplum*), i.e. one generalizable incident (which, again, is not generalizable), “could also be analysed as *employing the fallacy of hasty generalization.*”

We are encountering two problems here: 1) Wodak claims that this non-existing *argumentum ad exemplum* could be analysed as the *fallacy of hasty generalization*; 2) she further claims that this non-existing *argumentum ad exemplum* could be analysed as *employing the fallacy of hasty generalization.*

² MEP is an acronym for a Member of European Parliament.

6.4 Setting up fallacies as analytical procedure

A few critical remarks are in order here:

Ad 1) Once more, I would like to quote Hamblin here: “Fallacy of *Secundum Quid* is an *ever-present and unavoidable possibility in practical situations*, and any formal system that avoids it can do so only at the expense of features essential to natural language” (Hamblin 1970/2004: 213).

But let alone Hamblin's *caveat*, Wodak would first have to show that these individual self-presentations were not presented as presentations of self, but as events (she refers to them as 'incidents') that could be generalized, that usually are generalized, that were meant to be generalized, i.e. as instances of a more general pattern. But she doesn't, she doesn't even present the “examples” she is talking about.

Ad 2) Wodak then claims that these un-existing *argumenta ad exempla* could be analysed as ‘*employing the fallacy of hasty generalization.*’ ‘Employing’ clearly implies that something was done intentionally, with a purpose of achieving a certain goal. In our case (i.e. Wodak’s case), this goal seems to be to deliberately create (later on, Wodak even uses a much stronger term, i.e. ‘setting up a fallacy’) a fallacy. Which raises an important epistemological as well as methodological question: do we *commit* fallacies (with a technical meaning: producing/coming up with/perpetrating a fallacy *without* knowing that it was a fallacy; I am not claiming here that the English verb 'to commit' is restricted to this meaning, I am just using it in order to point to a dichotomy and construct an opposition), or do we *employ* them, even *set them up* (i.e. we are conscious of the fact that we have used a fallacy)?

The answer is easy with witless examples like “Everything that runs has feet; the river runs: therefore, the river has feet”: it is obvious that these examples were set up with a certain goal or intention. But what about the ever-present ‘fallacies’ like hasty generalizations? As Hamblin pointed out, they are unavoidable, that is the way we reason all the time, because in everyday life we have no alternative: when reporting somebody’s words or actions, we simply can’t take into consideration all the instances of a particular case, it would be practically impossible. In everyday life, we usually make our decisions on a limited number of analogies and examples, even on examples or experiences we don’t have direct access to (we were just told about them). Does that mean that we are talking and living (in) fallacies?

But let us proceed with Wodak's analysis. What follows is the analysis of excerpts of different interviews:

Just before this excerpt begins, MEP 3 and the interviewer have been talking about the kind of contact MEPs have (or believe they should have) with their constituencies. In this context, MEP 3 contrasts her own behaviour with that of what she considers to be typical of (male) politician, *thus providing a stereotypical generalization and setting up a straw-man fallacy.* (Wodak 2009: 105)

Again, there is no example (excerpt), and no analysis that would follow. We are told that MEP 3 contrasts *her own* behaviour with that of what *she considers* to be typical of (male) politician. We don't get to know what and how that is. But, if somebody is comparing her own behaviour with the behaviour of some other group she is witnessing in her professional life, such an observation is her own personal experience, not (necessarily) a "stereotypical generalization". It may sound stereotypical, if there are similar descriptions of a certain professional group circulating in a certain public sphere (though we would

first have to answer the question, why do we find them stereotypical, and what stereotypical really means (how it is defined)). But what MEP 3 might have said could in no way be described as generalization: she was simply comparing her own behaviour with *what she sees* (herself, not 'public opinion' or 'vox populi') to be typical of male politicians. She is therefore expressing her own opinion, not in any way a general one.

But Wodak goes even further in her analysis (or “analysis”): MEP 3 isn't just guilty of stereotypical generalization, she is also ‘*setting up a straw-man fallacy*,’ in other words, MEP 3 has deliberately, intentionally constructed a fallacy.

I’ve already tackled the difference between intentionally and unintentionally ‘producing’ fallacies in the previous section. A few words now about the Straw Man fallacy for which—in my opinion—we could use almost the same *caveat* Hamblin used for *Secundum Quid*: Straw Man fallacy is an *ever-present and unavoidable possibility in practical situations*. Why? Let us have a look at few ‘popular’ definitions that are available online:

(Nizkor Project: <http://www.nizkor.org/features/fallacies/straw-man.html>) The Straw Man fallacy is committed when a person simply ignores a person's actual position and substitutes a distorted, exaggerated or misrepresented version of that position.

And here is a more detailed definition:

(Wikipedia: http://en.wikipedia.org/wiki/Straw_man) The straw man fallacy occurs in the following pattern of argument:

1. *Person A has position X.*
2. *Person B disregards certain key points of X and instead presents the superficially similar position Y.* Thus, Y is a resulting distorted version of X and can be set up in several ways, including:
 - 2.1 Presenting a *misrepresentation* of the opponent's position and then refuting it, thus giving the appearance that the opponent's actual position has been refuted.
 - 2.2 Quoting an opponent's words out of context — i.e. choosing quotations that misrepresent the opponent's actual intentions.
 - 2.3 Presenting someone who defends a position *poorly* as the defender, then refuting that person's arguments — *thus giving the appearance* that *every* upholder of that position (and thus the position itself) has been defeated.
 - 2.4 Inventing a fictitious persona with actions or beliefs, which are then criticized, implying that the person represents a group of whom the speaker is critical.
 - 2.5 Oversimplifying an opponent's argument, then attacking this oversimplified version.
3. *Person B attacks position Y, concluding that X is false/incorrect/flawed.*

How are we to understand and interpret this? That every time we don't take in consideration all the facts, or all the data available on a certain topic, everything a person we are talking about has said (and we hardly ever can, because not only human capabilities are limited, so is the time and space we have at our disposal), we can be accused of committing a Straw Man fallacy? Quoting an opponent's words out of context is a ubiquitous example we can hardly avoid. When writing reviews, for example, concentrating on what seemed important from our point of view, and pointing to possible weak points, is easily (and rather often) described (by the author under review) as misrepresenting author's views, oversimplifying or even inventing a fictitious persona. Accusations that somebody has committed a Straw Man fallacy are therefore (or at least can be) a handy rhetorical technique when we don't like someone's arguments (or don't agree with them). And there

is *always* something that we leave out (that, for different reasons, we *have to* leave out), and we can never include everything a particular author has said or written.

Let us now turn to more detailed analysis in Wodak's book (2009: 105):

In lines 1-3 she casts the typical politician as preferring to meet with citizens indirectly, through the media. Alternatively, the typical politician might ‘drop in’ on his constituency only briefly, in a condescending, patronizing (...) and elitist (...) manner.

[9 lines of summing up the interview dropped]

Several topoi, strategies and fallacies are *employed here*: the *topos of history*, which refers to her experience as evidence for a more general claim, *combined with the fallacy of hasty generalization*; the *topos of urgency*, which stereotypically characterizes politicians’ lives, and the *topos of difference* combined with the discursive strategy of singularization, which serves to construct herself as unique.

And here is the excerpt Wodak's analysis refers to:

(Example 4 (Text 3.28)), 9 lines out of 22:

—1 *I mean I know that* – even on / on a: national level

—2 *I mean there are very many politicians all sorts in all parties* –

—3 *that prefer to / to meet the / the – eh / the citizens through – media*

—4 *eh - / so I know that I'm not that sort.*

—5 *so I prefer to meet the people.* –

—6 *it / it could be hard but it's more interesting ..*

—7 *and that's the way I learn all the time – a lot.*

__8 ... and a (xx) of - / I met so very many politicians - during my - living 45

__9 years

(Wodak 2009: 104-105)

When comparing the excerpt and the analysis, a few questions come to mind. First, where in the excerpt could all these topoi and fallacies mentioned in the "analysis" be found in the first place? What constitutes them as topoi and fallacies? How do topoi “combine” with fallacies (or discursive strategies), what exactly is meant by that? Wodak would leave all these crucial questions unanswered.

But if the reader of her book is left without these answers (if it is not clearly showed in the analysis and in the excerpt where the topoi and fallacies are, and what constitutes them as topoi and fallacies), what can we learn from such an “analysis”? What is its added value, what is its explanatory force in terms of cognition and comprehension?

If we try to find answers in the text itself, we can easily see that MEP 3 is saying *I know that ... there are very many politicians ... that prefer to meet the citizens through media* (lines 1- 3), *I prefer to meet people* (line 5). And what I, as a reader, can conclude from this is that MEP 3 is expressing a purely personal experience, with no intention of generalization (she is saying: *I know*—very many politicians (not all)). In her own view, *she* knows the situation, and that is all that *she* is saying. So, where is the fallacy of Hasty Generalization? The analyst should point to it, show how it is constructed, and that it is a fallacy at all (i.e. a fallacious argument, not just a problematic statement). Otherwise everything (every single utterance, not just a combination of an argument and a conclusion) could be judged a fallacy.

Here is another analysis, this time from the chapter *One day in a life of an MEP*. Hans, an Austrian MEP, is meeting a Slovenian delegation (at that time Slovenia was an accession country), and Wodak gives the following analysis of the conversation:

Once again, Hans emphasizes his contrary in a very explicit factual statement: ‘enlargement costs a lot of money!’ This time the audience for his argument is actually a delegation from an accession country, to whom he conveys in no uncertain terms the dominant—and in his view erroneous—beliefs about enlargement held by many politicians inside the EU. *This top-
os of the actual costs of enlargement*, and the corresponding representation of the EU as harbouring misguided beliefs on the subject (Hans even characterizes the Eurocrats as ‘empty heads’ (*Hohlköpfe*), in a colloquialism indicating the informal context and by *employing* the *fallacy of hasty generalization* again) might also serve as a legitimation strategy later on, should enlargement not go according to plan. (Wodak 2009: 141-142)

And here is the conversation the analysis refers to:

31 S1: in other words do you mean that one can now
 32 that one can assume that the basic decision
 33 that one will begin discussion with six countries
 34 that any fundamental obstacles could still be in the way?
 35 H: uh I would not make any strong predictions uh today
 36 S1: yes
 37 H: even if the monetary union is over
 38 its side effects are not finished yet
 39 politics can develop its own dynamics
 40 politics develops its own dynamics when money is the issue
 41 uh this is not unjustified
 42 *but the only thing that makes sense to the hollow European skulls (Hohlköpfe)*
 43 is that nothing can cost anything
 44 S1: yes
 45 H: eastern enlargement costs money
 46 S1: yes yes
 (Wodak 2009: 141-142)

Again, it is completely unclear where and what the fallacy of hasty generalization should be. There are (only) two possible candidates, “the only thing (that makes sense)...” or “hollow skulls”. But it is hard to understand why these two should be fallacies: “the only thing (that makes sense...)” is (or at least could be) an amplification or hyperbole, a rather standard(ized) rhetorical device we use for emphasizing. While the “hollow skulls” is clearly a metaphor (or a metonymy in certain interpretations), serving the same purpose as hyperbole at the beginning of the turn (i.e. emphasizing), but hardly a fallacy—unless every trope is a potential fallacy, of course. And even if every potential trope was a potential fallacy, *the hollow European skulls* would be more of a candidate for a Straw Man fallacy, not a fallacy of Hasty Generalization.

We could go on with many more examples from Wodak's book, but they are all repeating the same pattern described. A tentative conclusion may therefore be in order.

7. CONCLUSION: BACK TO AUSTIN AND HAMBLIN

I would like to conclude in the same way I started, with Austin and Hamblin. After pointing out that the reference depends on the knowledge at the time of utterance, Austin emphasizes:

It is essential to realize that ‘true’ and ‘false,’ like ‘free’ and ‘unfree,’ do not stand for anything simple at all; but only for *a general dimension of being a right or proper thing to say* as opposed to a wrong thing, *in these circumstances, to this audience, for these purposes and with these intentions*. In general we may say this: with both statements (and, for example, descriptions) and warnings, &c., the question can arise, granting that you had the right to warn and did warn, did state, or did advise, whether you were right to state or warn or advise -not in the sense of whether it was opportune or expedient, but whether, *on the facts and your knowledge of the facts and the purposes for which you were speaking, and so on, this was the proper thing to say*. (Austin 1962/1980: 144-145)

Whenever we are judging, not only whether something is true or false, free or unfree, but also whether something is a fallacy or not, we have to take into consideration the circumstances, the audience, the purposes as well as the intentions of the utterer. And when we do, we also have to bear in mind the following (Hamblin 1970/2004: 242):

When there are two or more parties to be considered, an argument may be acceptable in different degrees to different ones or groups, and a *dialectical appraisal* can be conducted on a different basis according to which party or group one has in mind; but again, *if we try to step outside and adjudicate, we have no basis other than our own on which to do so*. Truth and validity are onlookers’ concepts and presuppose a God’s-eye-view of the arena.

The choice of arguments, criteria and acceptability of their use is always a matter that only the parties involved in the argumentative discussion can decide on. According to their *knowledge at the time of the discussion, the circumstances in which the discussion takes place, the audiences that are involved in the discussion, the purposes and intentions the parties in the discussion have. And since these discussions take place in natural languages, in particular circumstances and at specific times, logic as an artificial system can’t really help.*

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Commentary on “FALLACIES: DO WE ‘USE’ THEM OR ‘COMMIT’ THEM? OR: IS ALL OUR LIFE JUST A COLLECTION OF FALLACIES?” by Igor Žagar

DIMA MOHAMMED

*Department of Speech Communication, Argumentation Theory and Rhetoric
University of Amsterdam
Spuistraat 134, 1012 VB Amsterdam
The Netherlands
d.mohammed@uva.nl*

The general claim that Igor Žagar seems to make in this paper is hardly controversial. On the basis on what he refers to as a hybrid Austino-Hamblinian perspective on fallacies, Žagar seems to argue that fallacy judgments cannot be made independent from context. Context, for him, can be defined in terms of four elements: (i) the knowledge of the parties in the discussion at the time of the discussion, (ii) the circumstances in which the discussion takes place, (iii) the audiences that are involved in the discussion, (iv) the purposes and intentions the parties in the discussion have. The criteria of argument evaluation depend on these four elements, he argues.

Given that the claim about the contextuality of fallacy judgment is not novel, it might be useful (even necessary) to compare Žagar’s proposal with similar proposals that promote the contextuality of fallacy judgments. Here, I’d like to mention two particularly relevant approaches that have been developed by other argumentation theorists. First, the approach developed by Walton (1992) and Walton and Krabbe (1995). And second, the approach developed within the pragma-dialectical theory of argumentation by van Eemeren and Houtlosser (2005) and van Eemeren (2010).

Walton sees that fallacies are contextual in the sense that whether an argument is reasonable or fallacious in a particular case depends on the context of dialogue (1992: 40). In Walton’s approach, which he developed further with Krabbe, the context can be specified by describing the type of dialogue in which the argument occurs. Each type of dialogue has its own distinctive goal and rules, and each dialogue type has its own norm that needs to be observed in order for a move to be reasonable (Walton and Krabbe 1995).

Van Eemeren and Houtlosser see that fallacy judgment is contextual in the sense that the ideal norm of critical testing (according to which fallacies are assessed) is specified by the rules and conventions of the empirical activity type in which the argument occurs (van Eemeren and Houtlosser 2005). Context is defined in terms of the activity types (or speech event) in which argumentative practice takes place, and the criteria to evaluate the reasonableness of an argumentative move are further specified by the rules and conventions of the activity type (van Eemeren 2010).

The question that needs to be raised here is to what extent is Žagar’s view of context being shaped by the four elements he proposes similar or maybe different from any of these two approaches?

In addition to the claim about the contextuality of fallacy judgments, the author seems to suggest a much stronger claim in which the ‘usefulness of a theory of fallacies’ as an analytical tool is contested. Žagar formulates his proposal for a context-sensitive analysis of fallacies on the basis of what he refers to as ‘a rhetorical reading of Austin’

and ‘an Austinian interpretation of Hamblin’. But even after he articulates his ‘hybrid Austino-Hamblinian perspective on fallacies’, he goes on to discuss problems of fallacy judgments and ‘fallacy theories’. He discusses what he refers to as the superabundance and redundancy of fallacies. On the basis of a sample of ‘definitions we can find online’, he tries to demonstrate that there is an ‘inflation’ of newly invented fallacies that are vaguely defined. He discusses both general and specific problems of fallacy theories. He generally discusses the problem that not all fallacies are always fallacious, that it seems to be impossible to avoid fallacies and also impossible to classify fallacies. Furthermore, he challenges the usefulness of a ‘theory of fallacies’ as an analytical tool by presenting a critical account of the way in which the Critical Discourse Analysis approach to discourse (CDA), particularly Ruth Wodak's Discourse-Historical Approach (DHA), uses the concept of fallacies in its analysis of discourse.

The point that I would like to raise here is methodological. I will not contest Žagar's judgment that the newly invented fallacies that he found online are vague, nor will I contest his judgment that Ruth Wodak's Discourse-Historical Approach fails to use fallacies as a good analytic tool in her approach. I would rather challenge the adequacy of such judgments to support a claim about the study of fallacies. Can a claim about the inflation of vaguely defined fallacies be solely supported by means of definitions that we find online (in Wikipedia, or in the Internet Encyclopedia of Philosophy)? And even more crucial, can we challenge the usefulness of a ‘theory of fallacies’ as an analytical tool by presenting a critical account of only one approach in which the identification of fallacies seems to be ad hoc and meaningless?

Here again, I'd like to invite the author to consider other approaches to argumentation where the identification of fallacies is neither ad hoc, nor meaningless. I will mention in particular, the fallacy theory of van Eemeren and Grootendorst (1987, 1992), in which an argument is considered either reasonable or fallacious depending on the role it plays in the procedure of critical testing of standpoints (or claims). Fallacies are defined as obstructive moves, that is as moves that obstruct the critical testing of points of view, this being considered the ideal goal of argumentation. So identifying a fallacy does not amount only to the identification of a recognisable pattern of problematic argument, but also to the problematic nature of the pattern and its implication for what is considered the goal of argumentation (van Eemeren and Grootendorst 1992). The idea of locating the problematic nature of fallacies in the obstructive role they play in the argumentative exchange is also present in Walton and Krabbe's view of fallacies as dialectical shifts. A fallacy in this approach is also an obstruction to the goal of the dialogue type in which it occurs (Walton and Krabbe 1995).

It is not clear which of the claims Igor Žagar is making. Is he claiming that there is no sense in pursuing a theory of fallacies, since, as his title suggests, “all our life might be just a collection of fallacies”? Or is his discussion of the problems of defining fallacies and of the use of a theory of fallacies in examining argumentative discourse meant to lend support to an alternative approach that he's proposing? The discussion of the author's proposal in relation to the relevant work of contemporary argumentation theorists would be helpful in answering these questions.

COMMENTARY

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